

On motion of Mr. Scott, Senate's bill to amend an act to incorporate the Buffalo Bayou, Brazos and Colorado railway company, was taken up and read first time.

On motion of Mr. Palmer, the rule was suspended, and the bill read second time;

When Mr. Hartley proposed the following amendment:

Sec. "This company shall be subject to any general law which may hereafter be enacted, upon the subject of railroad companies;" amendment adopted, and bill as amended, passed to a third reading.

On motion of Mr. Hartley, the rule was further suspended, bill read third time and passed by a constitutional majority; yeas 49, nays 2.

Mr. Charlton moved to adjourn until 10 o'clock, A. M., to-morrow; lost.

When, on motion of Mr. Hardeman of N., the House adjourned until half-past 9 o'clock, A. M., to-morrow.

---

TUESDAY, January 25th, 1853.

House met pursuant to adjournment—roll called—quorum present.

Absentees—Messrs. Bee, Bryan of C., Edwards, Hardeman of C Hooker, Hord, Howard, Johnson, Neighbors, Palmer, Pollock, Reid, Russell, Stapp, Stewart, Taylor of H., Turner, Wilson and Wren.

Journal of yesterday read and adopted.

#### PETITIONS.

Mr. Randolph presented the petition of Thomas G. Box, praying relief; referred to the committee on Private Land Claims, No. 2.

Mr. Mabry presented the petition of the corporation and citizens of the town of Bastrop, praying the grant of a new charter; referred to the committee on County Boundaries.

Mr. Fields presented the petition of William M. Spaulding, praying relief; referred to the committee on Internal Improvements.

#### REPORTS OF COMMITTEES.

COMMITTEE ROOM, January 25, 1853.

To the Hon. D. C. DICKSON,

*Speaker of the House of Representatives:*

The Finance committee have instructed me to report the bill relating to the fiscal affairs of the late Republic of Texas, as a



substitute for "an act to facilitate the settlement of the fiscal affairs of the late Republic of Texas," which was referred, and beg the adoption of the former.

Respectfully submitted.

GUY M. BRYAN, Chairman.

On motion, the rule regulating the general order of business was suspended, and the House proceeded to the further consideration of the bill.

The substitute was then read and adopted, when Mr. Scott proposed the following amendment:

Add to the end of 7th section the words "either to the District Attorney or at the Treasurer's Office in the city of Austin;" amendment adopted.

Mr. Stapp then proposed to amend as follows:

Strike out "twenty cents" where it occurs in section 7th, and insert "sixteen and two-thirds."

Mr. Browder moved to lay the amendment on the table, upon which motion the yeas and nays were taken, and stood as follows:

YEAS—Messrs. Speaker, Andrews, Bee, Bryan of B., Browder, Camp, Cannon, Coles, Crabb, Crockett, Dagget, Doom, Edwards, Evans of A., Fields, Flanagan, Hamilton, Hartley, A. J. Hood, Hooker, Hord, Jowers, Lawson, Mabry, Maverick, McFarland, Neal, Neighbors, Palmer, Rains, Randolph, Rowe, Runnels, Scott, Sims, Speights, Tarver, Taylor of F., Taylor of H., Thomson, Throckmorton, Turner, Westmoreland and White—44.

NAYS—Messrs. Charlton, Lane, Stapp, Tankersly and Tarrant—6.

So the amendment was laid upon the table, and

The bill as substituted ordered to be engrossed. On motion of Mr. Jowers, the rule was further suspended—bill read a third time and passed.

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives:*

The committee on Finance, to which was referred the petition of Colly Crawford, asking relief, &c., have instructed me to report the same back and recommend that it be laid on the table.

GUY M. BRYAN, Chairman.

Report received to come up in its order.

COMMITTEE ROOM, January 24, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives:*

The committee on Finance, to whom was referred the petition



of the heirs of Edward Burleson, have instructed me to report the same back to the House, and recommend its reference to the Judiciary committee, with the hope that said committee may find grounds to recommend to the House the granting of the prayer of the petitioners.

GUY M. BRYAN, Chairman.

Report received to come up in its order.

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives :*

The committee on Finance have instructed me to report a bill amending the 16th section of an act to provide for the assessment and collection of Texas, approved 11th February, 1850, and recommend its passage.

GUY M. BRYAN, Chairman.

Report and bill received to come up in their order.

On motion, the rule was suspended, bill read a second time and ordered to be engrossed.

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives :*

The committee on Finance, to which was referred a petition of Samuel G. Wells, report back the same and recommend its reference to the committee on Public Debt.

GUY M. BRYAN, Chairman.

Report received to come up in its order.

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives :*

The committee on Internal Improvements, to whom was referred a bill to be entitled an act to incorporate the Marshall Railroad Company, have carefully examined the same and instruct me to return said bill back to the House, and recommend its passage.

JOSEPH TAYLOR, Chairman.

Report and bill received to come up in their order.

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives :*

The committee on Internal Improvements, to whom was referred the petition of William H. Bonner and others, having properly examined the same, return said petition back to the House, accompanied by a bill, the passage of which they have thought proper to recommend.

JOSEPH TAYLOR, Chairman.

Report and bill received to come up in their order.



COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives :*

The committee on Engrossed Bills, have examined a bill entitled an act making appropriations to defray the expenses of three companies of volunteers, called into the service of the State for the protection of the frontier; also, a bill entitled an act incorporating the city of Brownsville, and report that said bills have been correctly engrossed.

A. J. HOOD, Chairman.

Report accepted.

Mr. Jowers moved to take up and consider a bill to incorporate the city of Brownsville—lost.

### BILLS AND RESOLUTIONS.

Mr. Crockett introduced a bill to authorize the county Court of Dallas county to levy a special tax; read first time.

Mr. Taylor of F. in the Chair.

Mr. Crockett introduced a bill supplemental to an act entitled an act relating to lands in Peters' Colony; read first time.

Mr. Scott introduced a bill to enable Fisher and Miller to perfect titles to the lands for which certificates have been issued to them, within the limits of Fisher and Miller's Colony; read first time.

Mr. Rossy moved a suspension of the rule, in order that the bill might be further considered—lost.

Mr. Scott introduced a bill for the relief of Samuel William Shields; read first time.

Mr. Hord introduced a bill to amend an act to create the counties of Cameron, Hidalgo, Starr, Webb, Presido and El Paso into separate land districts, approved February 16th, 1852; read first time.

Mr. Hord moved to suspend the rule, in order that the bill might be further considered—lost.

Mr. Palmer introduced a bill to incorporate the Union Hotel company, in the city of Houston; read first time.

Mr. Lane introduced a bill for the re-organization of the Auditorial Board of the State of Texas; read first time.

Mr. Andrews offered the following resolution:

*Resolved,* That the committee on Public Debt be, and they are hereby instructed to report back to the House on to morrow morning, a bill to be entitled an act to re-open the Auditorial Board.

Mr. A. J. Hood moved to lay the resolution on the table, which motion was lost.



Mr. Palmer proposed to amend as follows: Strike out "tomorrow morning," and insert "Friday morning next."

Mr. Browder moved to lay the resolution and amendment on the table until Saturday morning next.

Mr. Throckmorton moved a call of the House—refused.

Mr. Andrews moved that the House adjourn until 3 o'clock, P. M.—lost.

The vote was then taken upon the adoption of Mr. Palmer's amendment, and carried affirmatively.

The resolution as amended was then adopted.

Mr. Fields introduced a bill for the relief of the heirs of Harvey Sanders, deceased; read first time.

Mr. Tarver introduced a bill to define the time of holding the District Courts in the third Judicial District; read first time.

On motion of Mr. Tarver, the rule was suspended and the bill read a second time, and ordered to be engrossed.

On motion of Mr. Browder, the rule was further suspended, bill read a third time and passed.

Mr. Charlton introduced a bill for the relief of the heirs of Christopher Chaney; read first time.

Mr. Charlton moved a suspension of the rule, in order that the bill might be further considered—lost.

Mr. Browder offered a resolution calling on His Excellency, the Governor, for certain information relative to running the boundary line between Texas and the United States; read, and laid upon the table one day for consideration.

Mr. Browder introduced a bill to incorporate the Pecos Mining Company; read first time.

Mr. Jowers introduced a bill for the relief of certain persons therein named; read first time.

Mr. Jowers moved a suspension of the rule in order that the bill might be further considered—lost.

Mr. Pollock introduced a bill for the relief of H. H. Edwards and others; read first time.

Mr. Hartley introduced a bill to amend the sixty seventh section of an act to organize justice's Courts, and to define the powers and jurisdiction of the same; read first time.

Mr. Flanagan introduced a bill for the relief of James Smith; read first time.

Mr. Rowe introduced a bill for the relief of Robert Tippet; read first time.

On motion, the House proceeded to the consideration of the business on the Speaker's table, and to the



## ORDERS OF THE DAY.

Mr. Randolph moved a reconsideration of the vote taken on yesterday, refusing to adopt the resolution granting to Miss Reynolds use of the Hall of the House for the purpose of giving a concert, which motion was lost by a vote of 37 yeas to 19 yeas.

A message was received from the Senate informing the House that the Senate had passed with amendments, a bill to apportion the Senators and Representatives of the Legislature among the several counties of the State, according to the requirements of the Constitution.

Mr. Tankersley moved a reconsideration of the vote taken on yesterday, adopting the amendment of Mr. Hartley to the bill amendatory of an act to incorporate the Buffalo Bayou, Brazos and Colorado railroad company; carried, and vote reconsidered.

On motion, the vote adopting the amendment above referred to was also reconsidered; and on the further motion of Mr. Tankersley, the amendment was then laid upon the table.

The bill was then passed by a constitutional majority, yeas 53.

On motion of Mr. Reid, Mr. Rossy was excused from attendance on the House, on account of indisposition.

On motion of Mr. Johnson, Mr. Wilson was excused from attendance on the House during the remainder of the session.

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives:*

The committee on Engrossed Bills beg leave to report that they have examined a bill to be entitled an act to create the thirteenth Judicial District, and find the same correctly engrossed.

A. J. HOOD, Chairman.

Report accepted.

A resolution changing the order of business; read and adopted.

An act to limit the Board of Land Commissioners, and more clearly to define their duties; read a third time, when Mr. Taylor of F. proposed the following amendment:

Strike out "second section"—rejected, and the bill passed.

On motion of Mr. Neighbors, a bill to define the divisional line between Bexar and Milam Land Districts, was taken up, read a second time, and referred to the committee on Public Lands.

A bill originating in the House, concerning lands in Austin's second Colony, and in the Colony of Austin and Williams, amended by the Senate.



Amendments read and concurred in.

On motion of Mr. Hord, the House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

House met—roll called—quorum present.

On motion of Mr. Patrick, Mr. Russell was excused from attendance on the House during the remainder of the session.

The committee on Enrolled Bills made the following report:

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives:*

The committee on Enrolled Bills have examined an act concerning certain lands in Austin's second Colony, and the Colony of Anstin and Williams, and find the same correctly engrossed.

They therefore instruct me to report the same to the House for the signature of the Speaker.

BENJ. F. TANKERSLY.

Report accepted.

Mr. Bryan of B., on leave granted, introduced a bill supplementary to an act concerning lands in Austin's second Colony, and the Colony of Austin and Williams; read first time.

On motion, the rule was suspended, bill read a second time and ordered to be engrossed.

On motion, rule further suspended, bill read a third time and passed.

COMMITTEE ROOM, January 25, 1853.

Hon. D. C. DICKSON,

*Speaker of the House of Representatives:*

The committee on Engrossed Bills have examined a bill to be entitled an act to incorporate the Mount Pleasant male and female academy, and find the same correctly engrossed.

J. W. FLANAGAN,

One of the committee.

Mr. Neighbors, on leave granted, introduced a joint resolution requiring a judicial investigation into the validity of certain land certificates therein mentioned, issued to Henry F. Fisher and Burchard Miller; read first time.

A bill to incorporate the city of Brownsville; read third time, when Mr. Hord offered the following amendment:

Insert in 1st blank section 7, "such amount as the council may in its discretion allow, not exceeding five."

Insert in second blank section 7, "Such amount as the council may in its discretion allow, not exceeding five."



Amendments adopted, and bill as amended passed.

A bill making an appropriation to defray the expenses of volunteers, called into the service of the State for the protection of the frontier; read third time.

The yeas and nays having been taken upon the final passage, stood thus:

YEAS—Messrs. Speaker, Andrews, Bee, Bryan of B., Bryan of C., Browder, Camp, Coles, Crockett, Dunlap, Evans of P., Fields, Hamilton, Hartley, Hord, Mabry, Maverick, McDade, McFarland, Neighbors, Palmer, Patrick, Reid, Scott, Stapp, Tankersly Tarrant, Tarver, Taylor of H., Thomson, Throckmorton, Turner and White—33.

NAYS—Messrs. Cannon, Charlton, Crabb, Daggett, Doom, Edwards, Flanagan, A. J. Hood, Hooker, Johnson, Lawson, Pollock, Rains, Randolph, Sims, Speights and Wren—17.

So the bill passed. Mr. Hartley in the chair.

A bill to apportion the Senators and Representatives of the legislature among the several counties of the State, according to the requirements of the Constitution, as amended by the Senate.

First amendment read, when Mr. Edwards moved a call of the House. The call was ordered and made, and the Sergeant-at-Arms dispatched for the absentees.

Upon the absent members appearing in the Hall, on motion, the call was suspended.

A message was received from the Senate, informing the House that the Senate had passed a bill reinstating Joseph F. Smith, as an attorney and counsellor at law.

Mr. Edwards moved that the House disagree to the first amendment of the Senate.

Mr. Hord proposed the following amendment to the amendment of the Senate:

Strike out "Cameron" in the 70th Representative District, 3d section.

Mr. Stapp arose and made a point of order, as to whether the House could entertain the amendment of Mr. Hord to the Senate's amendment.

The Chair decided the amendment in order.

From which decision Mr. Bryan of C. appealed to the House.

The question was then put, "will the House sustain the decision of the Chair?" which was decided in the affirmative.

The vote was then taken on the adoption of Mr. Hord's amendment, and rejected.

The second amendment of the Senate, to strike out "Walker and Grimes one Representative," and give Cameron two Representatives (40th and 58th district.)



On motion of Mr. Dickson, the House refused to concur.

Third amendment of the Senate, in 4th section, 17th line, strike out "Grimes" for the 40th district.

On motion of Mr. Dickson, the House refused to concur.

Fourth amendment of the Senate. In district 42, strike out "Falls," and after "Milam" in district 46, insert "Falls."

On motion, the House refused to concur.

Fifth amendment of the Senate. Strike out "Burnett" from "Williamson," and add "Burnet" to "Travis."

Mr. Hamilton moved that the House disagree to the amendment, upon which the yeas and nays were taken, and stood thus:

YEAS—Messrs. Bee, Bryan of B., Bryan of C., Browder, Dunlap, Hamilton, Hord, Jowers, Mabry, McDade, McFarland, Neighbors, Palmer, Rains, Randolph, Reid, Scott, Sims, Stapp, Tarrant, Tarver, Taylor of F., Throckmorton, Turner, Westmoreland and White—26.

NAYS—Messrs. Speaker, Cannon, Charlton, Coles, Crabb, Crockett, Dagget, Doom, Edwards, Evans of A., Evans of P., Fields, Flanagan, Hartley, A. J. Hood, Hooker, Johnson, Lawson, Maverick, Neal, Patrick, Pollock, Rowe, Speights, Taylor of H., Thomson and Wren—27.

So the motion was lost and the amendment concurred in.

On motion, the House then adjourned until half past 9 o'clock A. M. to-morrow.

---

AUSTIN, Wednesday, January 26, 1853.

House met pursuant to adjournment—roll called—quorum present.

Absentees: Messrs. Browder, Hardeman of N., Howard, Lane, Rowe, Scott, Stewart, Titus and Wren.

Journal of yesterday read and adopted.

#### PETITIONS.

Mr. Scott presented the petition of the Assistant Clerks of the Departments of the State, praying an increase of their salaries; read, and referred to the committee on Finance.

Mr. Scott presented the petition of James Hamilton, directing the attention of the House to James Holford; referred to the committee on Public Debt.

Mr. Fields presented the petition of G. C. Blackburn, praying relief; referred to the committee on Public Lands.